

ORIGINAL

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Dee May
Director
Federal Regulatory

EX PARTE OR LATE FILED



April 19, 2000

Ex Parte

Ms. Magalie Roman Salas
Secretary
Federal Communications Commission
445 12th Street, SW
Washington, DC 20554

RECEIVED

APR 19 2000

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

Re: CC Docket No. 98-147: In the Matter of Deployment of Wireline Services
Offering Advanced Telecommunications Services, Sprint Petition for Reconsideration

Dear Ms. Salas,

Please find attached a letter sent from Bell Atlantic to Mr. Larry Strickling, Chief Common Carrier Bureau yesterday. The letter follows the DC Circuit Court's decision to vacate, in part, the FCC's Advanced Services Order, 14 FCC Rcd 4761 (1999) and addresses procedures that Bell Atlantic will follow pending the completion of its remand proceeding by the Commission.

Please contact me if you have any questions.

Sincerely,

A handwritten signature in cursive script that reads 'Dee May'.

Attachment

cc: L. Strickling
W. Kehoe

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List ABCDE

Bell Atlantic
1300 I Street N.W.
Suite 400W
Washington, DC 20005

Edward D. Young, III
Sr. Vice President-Regulatory



April 18, 2000

Mr. Lawrence Strickling, Chief
Common Carrier Bureau
Federal Communications Commission
445 12th Street, S.W.
Room 5-C312
Washington, DC 20554

Re: Remand of Advanced Services Order, CC Docket No. 98-147

Dear Mr. Strickling:

The Court's decision to vacate, in part, the Commission's Advanced Services Order, 14 FCC Rcd 4761 (1999) has created some uncertainty in the industry concerning how collocation will be provided while the Commission conducts its remand proceedings. The Court vacated (1) the Commission's definition of the types of equipment that must be collocated; (2) the Commission's rule allowing collocators to cross-connect their equipment with other collocating carriers; and (3) paragraph 42 of the order which, *inter alia*, prohibited the incumbent local exchange carrier from requiring that collocators use separate or isolated rooms or floors.

Until the Commission completes its remand proceedings, Bell Atlantic proposes to apply the following procedures:


1. Bell Atlantic will not require collocators to remove equipment that has already been installed or to relocate existing collocation arrangements except as allowed by the Commission's rules prior to March 17, 2000 (*e.g.*, where a building is being modified or a customer fails to pay applicable charges).
2. Bell Atlantic will continue to process orders for collocation that were submitted prior to March 17, 2000 under the Commission's rules as they existed at that time.
3. Bell Atlantic will process collocation applications received on or after March 17, 2000 in compliance with the provisions of the Commission's rules and the Advanced Services Order that were not vacated by the Court. In addition, Bell Atlantic will permit collocators to install DSLAMs, ATM multiplexers, routers, packet switching equipment, and splitters.

Upon completion of the Commission's remand proceedings, Bell Atlantic will reassess these arrangements for consistency with the Commission's rules and applicable law.

These commitments are premised on the Commission's agreement that the different treatment of orders received before and after the Court's decision would not be considered discriminatory under Section 251 of the Act, and would not be subject to "most favored nation" treatment under Section 252(i) of the Act. Should the Commission or any state commission find that these actions are discriminatory or are subject to the provisions of Section 252(i), Bell Atlantic reserves the right to modify or remove collocation arrangements that are not required under the Court's decision.

Please contact me if you have any questions.

Sincerely,

Edward D. Young, III